AO 133 (Rev. 9/89) Bill of Costs

UNITED STATES DISTRICT COURT

Southern District of Texas, Houston Division

AVA SLAUGHTER

v.

JONES, DAY

BILL OF COSTS

Case Number: H-05-3455

Final Judgment Entered on January 11, 2007 (Date) against Ava Slaughter, Plaintiff,
the Clerk is requested to tax the following as costs:

Fees of the Clerk	$ 250.00
Fees for service of summons and subpoena	
Fees of the court reporter for all or any part of the transcript necessarily obtained for use in the case	$2,874.90
Fees and disbursements for printing	
Fees for witnesses (itemize on reverse side)	
Fees for exemplification and copies of papers necessarily obtained for use in the case	$330.75
Docket fees under 28 U.S.C. 1923	
Costs as shown on Mandate of Court of Appeals	
Compensation of court-appointed experts	
Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828	
Other costs (please itemize)(Third Party Vendor Costs --see attached list)	$41.53
TOTAL	$ 3,497.18

SPECIAL NOTE: Attach to your bill an itemization and documentation for requested costs in all categories.
Attached hereto is Itemization of Costs and Exhibit A thereto

DECLARATION

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed. A copy of this bill was served electronically and mailed today with postage
Prepaid to: Thomas Padgett, Jr., attorney for plaintiff.

Signature of Attorney: /s/ Kelley Edwards

Name of Attorney: Kelley Edwards

For: Jones Day (Name of Claiming Party) Date: January 23, 2007

Costs are taxed in the amount of ____________ and included in the judgment.

Michael Milby
Clerk of Court

By: ____________
Deputy Clerk

____
Date

WITNESS FEES (computation, cf. 28 U.S.C. 1821 for statutory fees)

NAME AND RESIDENCE	ATTENDANCE		SUBSISTENCE		MILEAGE		Total Cost Each Witness
	Days	Total Cost	Days	Total Cost	Miles	Total Cost	
(NONE)							
					TOTAL		(NONE)

NOTICE

Section 1924, Title 28, U.S. Code (effective September 1, 1948) provides:
"Sec. 1924. Verification of bill of costs."

"Before any bill of costs is taxed, the party claiming any item of cost or disbursement shall attach thereto an affidavit, made by himself or by his duly authorized attorney or agent having knowledge of the facts, that such item is correct and has been necessarily incurred in the case and that the services for which fees have been charged were actually and necessarily performed."

See also Section 1920 of Title 28, which reads in part as follows:

"A bill of costs shall be filed in the case and, upon allowance, included in the judgment or decree."

The Federal Rules of Civil Procedure contain the following provisions:
Rule 54 (d) - "Except when express provision therefor is made either in a statute of the United States or in these rules, costs shall be allowed as of course to the prevailing party unless the court otherwise directs, but costs against the United States, its officers, and agencies shall be imposed only to the extent permitted by law. Costs may be taxed by the clerk on one day's notice. On motion served within 5 days thereafter, the action of the clerk may be reviewed by the court."

Rule 6(e) - "Whenever a party has the right or is required to do some act or take some proceedings within a prescribed period after the service of a notice or other paper upon him and the notice or paper is served upon him by mail, 3 days shall be added to the prescribed period."

Rule 58 (In Part) - Entry of the judgment shall not be delayed for the taxing of costs."

ITEMIZATION OF COSTS:

Fees of the Clerk

Fee	Date	Total Cost
Notice of Removal Fee	10/6/2005 & 10/10/2005	$250.00
Total		**$ 250.00**

Fees of the Court Reporter(s) for all or Part of the Transcript Necessarily Obtained for Use in the Case Fees (Invoices attached hereto as Ex. A)

Name of Witness	Date	Total Cost
Deposition of Ava Slaughter Vol. 1	5/31/06	1,087.30
Deposition of Ava Slaughter Vol. 2	6/14/06	798.80
Deposition of Ava Slaughter, media/video services on 6/14/06 and copy of DVD	6/14/06	538.50
Deposition of Kevin Richardson	7/12/06	450.30
Total		**$2,874.90**

Other: Fees to other Third Party Vendors for Services, Documents or Transcripts Necessarily Obtained for Use in the Case (Invoices attached hereto as Ex. A)

Copies of Open Records from Controller, Texas Workforce Commission	11/02/05	5.40
Copies of Record from U.S. EEOC payable to the MedLeh Group at .17 per page plus postage and tax-- record of plaintiff	12/15/2005	36.13
Total		**$41.53**

Fees for Exemplification and Copies of Papers Necessarily Obtained for Use in the Case

Copying - # of Pages @ 15 Cents Each	Date	Total Cost
Original Answer and Affirmative Defenses 3 pages x 3 = **9** pages (filed in 152nd State District Court of Harris County, TX)	10/07/05	$1.35
Notice of Removal and other documents 32 pages x 3 = **96** pages	10/07/05	14.40
Joint Discovery/Case Management Plan 8 pages x 3 = **24** pages	12/29/05	3.60
Certificate of Interested Parties 2 pages x 3 = **6** pages	12/29/05	.90
Defendant's Initial Disclosures 4 pages x 2 = 8 pages and Documents Produced Bates Labeled 00001-00177 = 177 x =354 + 8 Total **362**	1/31/06	54.30
First Set of Interrogatories to Plaintiff and First Set of Requests for Production to Plaintiff 20 x 2 = **40**	2/10/06	6.00
Responses to plaintiff's 1st Set of Interrogatories 7 pages x 2 copies = **14** copies	4/3/06	2.10
Responses to Plaintiff's First Set of Requests for Production & Documents produced Bates labeled 00178-00431 = 300 pages x 2 copies = **600** copies	4/3/06 and 4/4/06	90.00
Responses to Plaintiff's 2nd Set of Requests for Production and Documents (Bates Labeled 00432-00471) produced 44 pages x 2 copies = **88** copies	4/11/06	13.20

Copying - # of Pages @ 15 Cents Each	**Date**	**Total Cost**
Notice of Intention to Take the Oral and/or Videotaped Deposition of Plaintiff 2 pages x 2 = **4** pages	4/27/06	.60
Notice of Intention to Continue to Take Oral and/or Videotaped Deposition of Plaintiff Ava Slaughter 2 pages x 2 copies = **4** copies	6/07/06	.60
Document (bates labeled 00472) produced 1 page x 2 copies = **2** copies	6/13/06	.30
Documents produced bates labeled 00473 – 00672 200 pages x 2 copies = **400** copies	6/15/06	60.00
Objections and responses to Plaintiff's 2nd Set of Interrogatories 4 pages x 1 copies = **5** copies	7/28/06	.75
Objections and response to Plaintiff's 2nd Set of Interrogatories (with Affidavit and Exhibit A attached) 8 pages x 2 copies = **16** copies	7/31/06	2.40
Opposition to Plaintiff's Motion to File Amended Complaint/proposed order (C.A. H-05-3455) 9 pages x 1 copies = **9** copies	7/31/06	1.35
Opposition to Plaintiff's Motion to File Amended Complaint/proposed order (C.A. H-05-1439) 3 pages x 1 copies = **3** copies	7/31/06	.45
Supplemental Objections and Responses to Plaintiff's Second Set of Interrogatories and Bates labeled documents 675 – 677 as Exhibit A= 10 pages x 2 copies = **20** copies	10/26/06	3.00
Defendant's Motion for Summary Judgment and Exhibits 243 pages x 2 copies = **486** copies	11/13/06	72.90
Emergency Motion to Continue Joint Pretrial Order Deadline and Docket Call 3 pages x 1 copies = **3** copies	11/22/06	.45
Defendant's Reply to Plaintiff's Opposition to Defendant's Motion for Summary Judgment and proposed order 14 pages x 1 copies = **14** copies	12/11/06	2.10
Total		**$330.75**